

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGIA-PACIFIC CONSUMER PRODUCTS
LP, FORT JAMES CORPORATION, and
GEORGIA-PACIFIC LLC,

Case No. 1:11-cv-00483-RJJ

Hon. Robert J. Jonker

Plaintiffs,

v.

NCR CORPORATION and INTERNATIONAL
PAPER COMPANY,

Defendants.

ORDER ON MOTION TO COMPEL

The Court, having reviewed Plaintiffs' Motion to Compel and brief in support (Dkt. Entries 129 and 130), as well as Defendant NCR's response in opposition to the Motion to Compel (Dkt. Entry 147), and having entertained and considered arguments of counsel at a hearing on March 9, 2012, the Court hereby orders as follows:

1. Defendant NCR Corporation shall produce a properly prepared witness as to deposition topics 6, 8, 9, and 11 in Plaintiffs' December 16, 2011 30(b)(6) deposition notice.
2. Defendant NCR Corporation has the option of notifying Plaintiffs of its intention to re-produce a witness, including but not limited to Mr. Gallagher, as to any other numbered topics in Plaintiffs' December 11, 2011 30(b)(6) deposition notice to augment the prior testimony of Mr. Gallagher. Defendant may do so by notifying Plaintiff 10 days prior to the taking of the rescheduled 30(b)(6) deposition. In the event Defendant NCR chooses not to do so, it will be bound by the answers provided by Mr. Gallagher in his original deposition as to each such topic, to the same extent as any other testimony given under Rule 30(b)(6).

3. The reconvened 30(b)(6) deposition shall last no more than 4 hours (excluding breaks) and shall be held at the offices of Hunton & Williams in Washington, DC.

4. Defendant NCR has agreed to produce (or provide Plaintiffs with the Bates numbers of) each and every document and/or deposition reviewed by Mr. Gallagher or other witnesses in preparation for the reconvened 30(b)(6) deposition.

5. Defendant NCR has agreed to produce (or provide Plaintiffs with the Bates numbers of) each and every document and/or deposition reviewed by Mr. Gallagher in preparation for his 30(b)(6) testimony taken January 25, 2012.

IT IS SO ORDERED.

Date: March 22, 2012

/s/ Hugh W. Brenneman, Jr.
Hon. Hugh W. Brenneman, Jr.
Magistrate Judge

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